

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections set forth in the Office Action dated February 15, 2005 are respectfully requested. New claims 31-44 have been added. Thus, claims 1-3, 10-12, 19, 25 and 31-44 are pending in this application.

### **THE 102 REJECTIONS**

The Examiner rejected claims 1-3, 10-12, 19, and 25 under 35 U.S.C. 102(e) as anticipated by U.S. Pat. No. 6,810,525 (Safadi et al.).

### **THE PRIOR ART**

Safadi et al. apparently disclose a method and system for impulse purchasing of services over a communication network. Such services include games or information accompanying television programming, home-shopping and the like. The access controller generates entitlements and a secure processor generates entitlement tokens by which security is provided. A token is generated for the service selected or purchased by the subscriber. The token is secure and signed

### **THE PRIOR ART DISTINGUISHED**

Claim 1 includes the language "wherein said filesystem examines each of said requests, and either grants or denies each of said requests depending on whether the request is justifiable from a security perspective by using information that includes, but is not limited to: the nature of the originating process, the history of previous access by the process, and/or the section of the targeted file being requested[.]" Safadi et al. disclose an access controller which generates an encrypted message. The encrypted message is then sent to the subscriber terminal to verify if the IPPU selection is within a credit entitlement of the subscriber. (Col. 1 lines 67 – Col. 2 lines 7). Safadi et al. do not disclose granting or denying requests by using information that includes "the nature of the originating process" as claimed in Claim 1.

The stated object of providing for "impulse purchasing services" has no obvious relationship with "the nature of the originating process."

Similarly, Safadi et al. do not disclose granting or denying requests by using information that includes "the history of previous access by the process" as claimed in Claim 1. This is not obviously related to providing for "impulse purchasing of services" and may even teach away from such a system. Safadi et al. teach that pre-authorized services are provided using a token. Again, there is no obvious relationship between "the history of previous access by the process" and, indeed, a token would seem to obviate using such information.

Similarly, Safadi et al. do not disclose granting or denying requests by using information that includes "the selection of the targeted file being requested," as claimed in Claim 1. No explicit or implicit mention of file sections is provided by Safadi et al.

Claim 1 includes the language "said network redirector component makes visible to said network filesystem, a path that represents the server where said application program files are stored." Safadi et al. do not teach a network redirector component. The Examiner asserted at page 3 of the Office action that: "the client application then sends the entitlement token to a proxy server in order to determine the status of the subscriber's request, and if the request was verified then enabling the selected service/application for use by the subscriber from ISP 9Col. 2, line 11-24), which meets the limitation of providing a network redirector component of said network file system, and wherein said network redirector component makes visible to said network file system, a path that represents the server where said application program files are stored." Notably, the Examiner fails to point out where Safadi et al. disclose making a path visible. Rather, the Examiner alludes to tokens, which in and of themselves do nothing other than establish entitlement to a service. The path from server to client in Safadi et al. is no more visible after sending a token than before. Therefore, Safadi et al. do not teach "said network redirector component makes visible to said network

filesystem, a path that represents the server where said application program files are stored," as claimed in Claim 1.

To anticipate a claim, the prior art reference must teach every element of the claim. MPEP 2131. Since Safadi et al. do not teach every element of Claim 1, Claim 1 is allowable over Safadi et al.

Claims 2-3, which depend from claim 1, are allowable at least for depending from an allowable independent claim.

Claim 2 is allowable for additional reasons. Further to the reasons provided above, Claim 2 includes the language "said network filesystem registers *dispatch routines* with the client operating system that *handle common file operations such as open, read, write and close[;]*" (Emphasis added). Safadi et al. do not teach dispatch routines or the like. As discussed, Safadi et al. teach "the subscriber IPPU selection is pre-authorized at the subscriber terminal for a predetermined credit amount." (Col. 3 lines 10-12). Safadi et al. do not teach common file operations such as open, read, write and close.

In addition, Claim 2 includes the language "a dispatch routine examines a file request and decides whether to grant or deny said file request[.]" In contrast, Safadi et al. merely teach that a subscriber sends a subscriber IPPU selection to an access controller and the access controller generates and sends a message to the subscriber terminal which verifies the IPPU selection. (Col. 1 lines 63 - Col. 2 lines 7).

Claim 10 is allowable for reasons similar to those of claim 1.

Claims 11-12, which depend on claim 10, are allowable at least for depending from an allowable base claim.

Claim 19 is allowable at least for reasons similar to those described with reference to Claims 1 and 2. Claim 25 is allowable for reasons similar to those of Claim 19.

New Claims 31-44 are allowable at least for reasons similar to those described with reference to Claim 1 because Claims 31-44 include features that are similar to those of Claim 1.

The applicants respectfully request the Examiner withdraw the rejections of claims 1-3, 10-12, 19, and 25.

#### CONCLUSION

In view of the foregoing, Applicants submit that all the claims pending in the application patentably define over the prior art. The Applicants respectfully requests the Examiner withdraw rejections pf all claims. A Notice of Allowance is therefore respectfully requested.

If extra fees are due, please charge our Deposit Account No. 50-0665 from which the undersigned is authorized to draw.

If in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at (650) 838-4305.

Respectfully Submitted,  
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